

Notice of Agency Rule-making Proposal

AGENCY: Department of Environmental Protection

RULE TITLE OR SUBJECT: Chapter 531 -Regulations for Wastewater Operator Certification

PROPOSED RULE NUMBER:

CONCISE SUMMARY: This chapter governs the certification of persons qualified to operate public and private wastewater treatment plant in Maine. The chapter establishes criteria for determining a grade for each wastewater facility based on flows and pollutant loading. The chapter establishes criteria that must be met by a person wishing to be certified as qualified to operate a wastewater facility having a given grade.

Many of the proposed amendments are minor clarifications and formatting changes. However, the amendments to the chapter will create a new classification of wastewater treatment plant operator for small facilities using spray irrigation for treatment. If this class of operators is not created, owners and operators of campgrounds, trailer parks and seasonal industries that typically use this type of treatment will be required to employ operators who are certified to operate facilities that discharge to the surface waters of the state. Since the type of treatment, and therefore the skills and knowledge necessary to properly operate these systems, are different, establishing a new category of operators is necessary.

The fee structure is being removed from the chapter in anticipation of transferring the administration of the Wastewater Operator Certification Program to an outside organization. The fees for initial certification and biennial renewal are anticipated to increase. To the extent that municipal governments pay the certification fees for those individuals employed by such municipalities, those payments will increase under this proposed rule as shown above. The Commissioner will continue to sign all wastewater operator certificates and DEP staff will oversee the program.

A copy of the proposed rule can be viewed and downloaded at <http://www.maine.gov/dep/blwq/rule.htm>

THIS RULE WILL X WILL NOT__ HAVE A FISCAL IMPACT ON MUNICIPALITIES.

STATUTORY AUTHORITY: 32 MRSA §4179

PUBLIC HEARING : 1:00 p.m., December 15, 2005 at the Ground Round Restaurant in Augusta, ME

DEADLINE FOR COMMENTS: December 27, 2005 at 5:00 p.m. Comments may be submitted by mail at the address below, by fax at (207) 287-3435 or by email at Dick.Darling@Maine.Gov. To ensure consideration, comments must include your name and the organization you represent, if any. Please be aware that any risk of non-delivery associated with submissions by fax or e-mail is on the sender.

AGENCY CONTACT PERSON: Richard Darling
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Please approve bottom portion of this form and
 assign appropriate MFASIS number.

APPROVED FOR PAYMENT _____ DATE: _____

Authorized signature

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